Attorney Docket No. 080437.52625US.

DECLARATION AND POWER OF ATTORNEY

(For Use with Application Data Sheet)

As the below named inventor(s), I/we declare that:

This declaration is directed to:

☒ The attached application, or

☐ was filed as PCT international application Number_____ on _____.

☐ Application No. _____, filed on _____, _____ as amended on _____ (if applicable);

I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the above invention, which is entitled:

SYSTEM COMPRISING A FUEL CELL AND A HEAT EXCHANGER

I/we have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;

I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including material information which became available between the filing date of the prior application and the National or PCT International filing date of the continuation-in-part application, if applicable;

I/we hereby appoint the practitioners at **CROWELL & MORING L.L.P.**, whose Customer Number is: 23911 as my/our attorneys to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith; and

All statements made herein of my/our own knowledge are true; all statements made herein on information and belief are believed to be true, and further these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.

FULL NAME(S) of INVENTOR(S)

Signature: _____ Date: 12.08.2003
Inventor one: **Joachim TACHTLER**
Citizen of: Federal Republic of Germany

Signature: _____ Date: 12.08.2003
Inventor two: **Franz-Josef WETZEL**
Citizen of: Federal Republic of Germany

Signature: _____ Date: 13.08.2003
Inventor three: **Bernhard EDLINGER**
Citizen of: Federal Republic of Germany

Signature: _____ Date: _____
Inventor four:
Citizen of:

☐ **Additional Inventors on Attached sheet if checked**